

Notice of Allowability

Application No.

10/663,229

Examiner

Renata McCloud

Applicant(s)

MALKOWSKI ET AL.

Art Unit

2837

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 01/09/2006.
2. ☒ The allowed claim(s) is/are 1,3,5-10,13,15-19,31-37.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


MARLONT T. FLETCHER
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Patrick Yoder on 04/06/2006.

The application has been amended as follows: Cancel claims 20, 21, 23, 26, 28, and 30.

Allowable Subject Matter

2. Claims 1,3,5-10,13,15-19, 31-37 are allowed. The following is an examiner's statement of reasons for allowance:

Claims 1,3,5-10,13,15-19: the prior art fails to teach or make obvious a bypass switch comprising a first set of contacts electrically coupled in series between a power source and with an input of a variable frequency drive; a second set of contacts electrically coupled in series between an output of the variable frequency drive and a load; an operator having a first position and a second position, wherein the first set of contacts and the second set of contact are closed when operator is oriented in the first position and the first set of contacts and the second set of contacts are open when the operator is oriented in the second position; a bypass relay contactor having set of bypass contacts, wherein the third set of bypass contacts is electrically coupled in parallel with the first set of contacts and the second set of contacts between the power source and the load; and the switch being configured to energize the bypass contactor and thereby close the third set of bypass contacts when the first and second sets of contacts are open.

Claims 31-36: the prior art fails to teach or make obvious a bypass switch having first and second sets of contacts for coupling the variable frequency drive to an external power source and to a motor, and a set of auxiliary contacts, a bypass contactor having a set of bypass contacts the bypass contactor configured to be energized by the auxiliary contacts to couple the motor to the power source so that the bypass contacts are electrically parallel to the variable frequency drive.

Claim 37: the prior art fails to teach or make obvious a bypass contactor in parallel with the motor drive; a controller comprising a manual bypass switch to couple the motor drive between a power source and a motor, the bypass switch isolates the motor drive from the power source and from the motor, and to closes the bypass contactor to couple the motor directly to the power source; a set of contacts in series with the bypass contactor for opening the contactor before the motor is recoupled to the power source and the motor

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Renata McCloud whose telephone number is (571) 272-2069. The examiner can normally be reached on Mon.- Fri. from 5:30 am - 2pm.

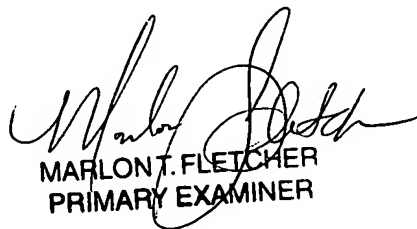
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Bradley can be reached on (571) 272-2800 ext. 33. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Renata McCloud
Examiner
Art Unit 2837

rdm



MARLON T. FLETCHER
PRIMARY EXAMINER